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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**STATE OF CALIFORNIA, by and through
Attorney General Xavier Becerra;
COUNTY OF LOS ANGELES; CITY OF
LOS ANGELES; CITY OF FREMONT;
CITY OF LONG BEACH; CITY OF
OAKLAND; CITY OF STOCKTON,**

Plaintiff,

v.

**WILBUR L. ROSS, JR., in his official
capacity as Secretary of the U.S.
Department of Commerce; U.S.
DEPARTMENT OF COMMERCE; RON
JARMIN, in his official capacity as Acting
Director of the U.S. Census Bureau; U.S.
CENSUS BUREAU; DOES 1-100,**

Defendants.

3:18-cv-01865

**NOTICE OF FILING SECOND
UPDATED TRIAL DECLARATION OF
ANDREW REAMER, PH.D**

Dept: 3
Judge: The Honorable Richard G.
Seeborg
Trial Date: January 7, 2019
Action Filed: March 26, 2018

1 Plaintiffs hereby submit the trial declaration of witness Andrew Reamer, Ph.D., originally
 2 filed on December 28, 2018 (ECF No. 131), and as modified by the Court's Order Re:
 3 Defendants' Motion in Limine and Objections to Plaintiffs' Trial Declarations dated January 11,
 4 2019 (ECF No. 168). This version replaces and supersedes the version filed on January 13, 2019
 5 (ECF No. 174). A copy of the updated declaration, with its supporting exhibits B, C, D, and E, is
 6 attached hereto as **Exhibit 1**. Exhibits C, D, and E to the trial declaration of Dr. Reamer are
 7 included as records of facts and data on which Dr. Reamer relied in the course of forming his
 8 expert opinions under Federal Rule of Evidence 703.

9
 10 Dated: January 14, 2019

Respectfully submitted,

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14 **FILER'S ATTESTATION**

15 Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, I hereby attest that
16 concurrence in the filing of this document has been obtained from all signatories above.

17 Dated: January 14, 2019

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EXHIBIT 1

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**STATE OF CALIFORNIA by and through
ATTORNEY GENERAL XAVIER
BECERRA; COUNTY OF LOS
ANGELES; CITY OF LOS ANGELES;
CITY OF FREMONT; CITY OF LONG
BEACH; CITY OF OAKLAND; CITY OF
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Plaintiffs,

v.

**WILBUR L. ROSS, JR., in his official
capacity as Secretary of the U.S.
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Defendants.

3:18-cv-01865

**TRIAL DECLARATION OF ANDREW
REAMER, Ph.D.**

Dept: 3
Judge: The Honorable Richard G.
Seeborg
Trial Date: January 7, 2019
Action Filed: March 26, 2018

CITY OF SAN JOSE, a municipal corporation; and BLACK ALLIANCE FOR JUST IMMIGRATION, a California Non-Profit Corporation,

Case No. 3:18-cv-02279

Plaintiffs,

v.

WILBUR L. ROSS, JR., in his official capacity as Secretary of the U.S. Department of Commerce; U.S. DEPARTMENT OF COMMERCE; RON JARMIN, in his official capacity as Acting Director of the U.S. Census Bureau; U.S. CENSUS BUREAU,

Defendants.

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1 **I. QUALIFICATIONS**

2 1. I was retained in this litigation to provide analyses of the impacts of the inclusion of a
3 question on citizenship status on the 2020 Census questionnaire on the distribution of particular
4 types of federal domestic assistance funds to certain states.

5 2. I am a research professor in the George Washington Institute of Public Policy
6 (GWIPP) at The George Washington University in Washington, D.C. My research aims to
7 support U.S. national economic development and competitiveness. A substantial component of
8 my work concerns the roles and functioning of the federal statistical system, including the U. S.
9 decennial census and the datasets produced using its outputs.

10 3. In 2011, I began my research at GWIPP after six years at the Brookings Institution's
11 Metropolitan Policy Program and 20 years as a consultant in U.S. regional economic development
12 and public policy. As a fellow at Brookings, I was responsible for encouraging a strong, well-
13 functioning federal statistical system that met the data needs of public and private stakeholders.
14 To that end, I was instrumental in ensuring the commencement and continued existence of the
15 American Community Survey (ACS).

16 4. Throughout my career as an economic development consultant, I prepared strategic
17 analyses and plans that relied heavily on federal demographic and economic statistics. I currently
18 conduct the research project "Counting for Dollars 2020: The Role of the Decennial Census in the
19 Geographic Distribution of Federal Funds." Project reports already published include Report #1:
20 Initial Analysis: 16 Large Census-Guided Financial Assistance Programs (August 2017), which
21 has been marked as Exhibit PTX-774; Report #2: Estimating Fiscal Costs of a Census
22 Undercount to States (March 2018), which has been marked as Exhibit PTX-775; Report #3:
23 Census-Guided Financial Assistance to Rural America (December 2018); Report #4: Census-
24 Derived Datasets Used to Distribute Federal Funds (December 2018). In addition, the following
25 reports will be published in 2019: Report #5: 55 Large Census-Guided Federal Spending
26 Programs; and Report #6: A Comprehensive List of Federal Programs that Geographically
27 Allocate Spending Based on Decennial Census Data.
28

1 5. While at Brookings and prior to the 2010 Census, I published a Counting for Dollars
2 study that identified census-guided federal financial assistance programs and calculated fiscal
3 year (FY) 2008 funding flows by program to states, metro areas, and counties, although with a
4 substantially smaller level of effort than my current project. A copy of this study has been
5 marked as PTX-776.

6 6. I received a Ph.D. in Economic Development and Public Policy and a Master of City
7 Planning from the Massachusetts Institute of Technology and a Bachelor of Science in Economics
8 from the Wharton School, University of Pennsylvania.

9 7. I am a member of several federal advisory committees—the U.S. Bureau of Labor
10 Statistics (BLS) Data Users Advisory Committee (of which I am former chair), the Bureau of
11 Economic Analysis (BEA) Advisory Committee, and the Workforce Information Advisory
12 Council, which is part of the Department of Labor. I recently completed a two-year term as a
13 member of the Commerce Department’s National Advisory Council on Innovation and
14 Entrepreneurship. I am a member of the Statistics Committee of the National Association for
15 Business Economics (NABE), which meets three times yearly with the directors of the U.S.
16 Census Bureau, BEA, and BLS. I provide staff assistance to the Economic Statistics Committee
17 of the American Economic Association, the nation’s professional association of economists. I am
18 a member and former president and board member of the Association of Public Data Users, as
19 well as a member of the Industry Studies Association, for which I manage the Innovation and
20 Entrepreneurship track at its annual conference. I have attached a copy of my expert report, which
21 has been marked as Exhibit PTX-772, and my curriculum vitae, which has been marked as
22 Exhibit PTX-773 as **Exhibits A** and **B**, respectively, to this declaration.

23 8. Based on my experience, training, knowledge, and education, I believe I am well-
24 qualified to offer expert opinions on how decennial census results affect the geographic
25 distribution of funding by several types of federal domestic financial assistance programs.

26 9. Attached as **Exhibit C** to this declaration is a list of documents and publications on
27 which I relied in forming my expert opinions. These publications and documents listed in Exhibit
28

1 C (including, but not limited to, those sources cited in this declaration) are of the kind that experts
2 in this field would reasonably rely on when forming expert opinions of this nature.

3 **II. SUMMARY OF OPINIONS**

4 10. Federal domestic financial assistance—in the form of direct payments to individuals,
5 grants, loans, and guaranteed and insured loans—funds a substantial portion of the American
6 economy and its system of federalism. A significant portion of federal domestic financial
7 assistance is distributed on the basis of statistics derived from the decennial census. I am aware of
8 at least 320 federal domestic assistance programs that used census-derived data to distribute about
9 \$900 billion in FY2016. The two most important uses of census-derived data to guide federal
10 assistance program funds distribution are for determining program eligibility and for
11 geographically allocating funding through formulas, the latter of which is the subject of my
12 testimony here.

13 11. From this list of 320 programs, I have identified 24 large federal financial assistance
14 programs with geographic allocation formulas that rely in whole or part on census-derived data.
15 Attached as **Exhibit D** to this declaration is a chart I created listing out these programs along with
16 some relevant details, which has been marked as Exhibit PTX-245. Of these programs, six use the
17 Federal Medical Assistance Percentage (FMAP) reimbursement formula, and the remaining 18
18 rely in whole or part on state share of a U.S. population total (“state-share programs”).

19 12. Geographic allocation formulas are particularly sensitive to inaccuracies in census-
20 derived data. The census-derived datasets that are particularly important for determining the
21 geographic allocation of funds by formula are the Census Bureau’s Population Estimates and
22 American Community Survey (ACS). There is a strong, direct relationship between the accuracy
23 of the decennial census and the reliability of both the Population Estimates and the ACS such that
24 decennial census data is an essential determinant of the accuracy and reliability of both.

25 13. A differential undercount among diverse population groups in the 2020 Census would
26 affect each succeeding year’s Population Estimates for the following decade because the 2020
27 count serves as the base of these Population Estimates. Moreover, such a 2020 Census undercount
28 would negatively affect each year’s ACS data. As the ACS methodology handbook makes clear,

1 the ACS relies on the decennial census for its sampling frame and sample design, its approaches
2 to imputation, the statistical weights given to individual responses, and the measurement of
3 variance. As a result, the accuracy of ACS estimates of the percentage distribution of various
4 population characteristics at every level of geography is a function of the reliability of the
5 decennial census. Further, as Population Estimates provide the controls by which ACS
6 percentages are transformed into population counts by characteristics, again at every level of
7 geography, a decennial census undercount would lead to inaccurate ACS population estimates.
8 Also, as the ACS informs the net international migration estimate for the Population Estimates, an
9 undercount would result in an undercount of that component of population change.

10 14. Using three of these 24 programs as examples, I have performed calculations using a
11 series of two assumptions of different rates of undercounts of noncitizens due to the citizenship
12 question and applied to 2020 population projections by state. It is my understanding that each of
13 these two scenarios are in comparison to a baseline case in which the citizenship question has no
14 differential effect on these groups. Each of the undercount scenarios would produce a differential
15 undercount—that is, the extent of the undercount (as measured by percentage of the population
16 missed) would vary greatly across states, reflecting the relative presence of noncitizens in the
17 respective state populations.

18 15. I understand that these projections were prepared by Dr. Bernard Fraga, and I express
19 no opinion about these undercount assumptions or population projections provided to me. Rather,
20 I use these projections to demonstrate the nature and comparative magnitude of impacts of
21 funding loss for one year to particular states if these undercount scenarios are realized in the 2020
22 Census. Each of my illustrations assumes that Dr. Fraga's scenarios were realized in the 2010
23 Census and, on that basis, estimates the impacts on program funding by state in FY2016.

24 16. Based on this analysis and my understanding of relevant funding formulas and
25 census-derived datasets, it is my opinion, held to a strong degree of professional certainty, that if
26 either of the undercount scenarios provided to me is realized in the 2020 Census, this would result
27 in a shift in relative state population shares and a comparable shift in funding allocations. Under
28

1 this scenarios, states with an undercount rate greater than the U.S. undercount rate would lose
 2 share and states with an undercount rate greater than the U.S. figure would gain share.

3 17. With respect to the 18 state-share programs I have identified as census-sensitive, and
 4 as will be demonstrated using three example programs later in my testimony, those states with an
 5 undercount rate greater than that for the U.S. as whole would lose share, and thus funding,
 6 relative to their actual population. Specifically, because several states—including California, New
 7 York, Texas, Florida, New Jersey, Nevada, and Hawaii—have high relative percentages of non-
 8 citizens, these states would lose population share while many other states would gain share.

9 18. In sum, it is my opinion, held to a strong degree of professional certainty, that for
 10 programs with allocation formulas based on a state's population relative to the nation, and under
 11 the assumption that allocation formulas and funding levels remain similar, a differential decennial
 12 census undercount of non-citizens would lead to measurable fiscal losses for those states with
 13 percentages of non-citizens above the nationwide average.

14 19. Moreover, if in the future current allocation formulas and funding levels change, as
 15 long as the allocation formulas retain a degree of state-share-based calculation, a differential
 16 decennial undercount would cause the same states previously identified to lose money from the
 17 same programs, although in different amounts.

18 20. Similarly, *a change in the degree of differential undercount would only affect the*
 19 *magnitude of the losses to the states identified above, not the existence of such losses.* Even a
 20 0.5 percent differential undercount, for example, would cause losses in state-share programs to
 21 California, New York, Texas, Florida, New Jersey, Nevada, and Hawaii.

22 **III. FEDERAL DOMESTIC FINANCIAL ASSISTANCE PROGRAMS GUIDED BY DATA** 23 **DERIVED FROM THE DECENNIAL CENSUS**

24 21. Domestic assistance programs provide financial assistance and non-financial
 25 assistance to non-federal entities within the U.S.—such as individuals, state and local
 26 governments, companies and nonprofits—in order to fulfill a public purpose.

27 22. In FY2017, the federal government provided approximately \$4.77 trillion in direct
 28 domestic financial assistance programs, an amount equal to 24.9 percent of gross domestic

1 product. Of that total, approximately \$2.36 trillion were direct payments to individuals, and
2 \$674.7 billion were grants, primarily to state and local governments.

3 23. Congress recognizes that the appropriate, equitable distribution of certain forms of
4 financial assistance should be guided by demographic and economic data at various levels of
5 geography. As a consequence, it has directed that a substantial portion of federal financial
6 assistance to state and local governments, households, businesses, and nonprofit organizations be
7 guided by statistics derived from the decennial census.

8 24. Since 1790, Congress has used the data from the decennial census to guide the design
9 and implementation of public policies and programs. However, as the decennial census is carried
10 out once a decade and collects data on a small number of demographic characteristics, Congress
11 also recognizes that the decennial numbers, on their own, are inadequate to guide the fair,
12 equitable distribution of federal financial assistance. As a result, Congress has authorized a series
13 of more current and more broadly descriptive datasets derived from the decennial census. I refer
14 to these as “census-derived datasets.”

15 25. I have identified 32 census-derived datasets used by the federal government to
16 geographically distribute financial assistance¹ as shown in **Exhibit E** to this declaration, a
17 schematic I created to demonstrate the relationship of these datasets, and which has been marked
18 as Exhibit PTX-246. Six datasets are considered foundational (*i.e.*, they are derived directly on
19 census data, in whole or in part), with the remaining 26 datasets extensions of these.

20 26. Only one foundational dataset, the Census Bureau’s Urban-Rural Classification of
21 every census tract based on decennial census population density, relies solely on decennial
22 numbers. This classification serves as the foundation for all other federal geographic
23 classifications used to distribute federal financial assistance.

24 27. Two other foundational datasets are “augmented” in that they annually update
25 variables collected in the decennial census. More specifically, the Census Bureau constructs

26 ¹ Since I submitted my expert report in this case, I have identified an additional 20 census-derived datasets,
27 for a total of 52 (eight foundational and 44 extensions). I published these findings on December 21, 2018 in
28 “Census-derived Datasets Used to Distribute Federal Funds,” available at
<https://gwipp.gwu.edu/sites/g/files/zaxdzs2181/f/downloads/Counting%20for%20Dollars%20%234%20Census-derived%20Datasets.pdf>.

1 annual Population Estimates and Housing Estimates by augmenting decennial population and
2 housing numbers with more recent data, primarily from vital statistics and tax records. For
3 example, the Census Bureau annually updates Population Estimates by taking the previous year's
4 numbers (starting with the decennial year) and adding births, subtracting deaths, and estimating
5 net domestic and international migration.

6 28. The Population Estimates databases are frequently used directly to determine funds
7 distribution according to each state's share of the most recent U.S. population total. They also
8 enable the creation of economic indicators that allow geographic areas to be compared regardless
9 of size. A good example is state Per Capita Income (PCI), which is determined by dividing state
10 Personal Income by state population (from Population Estimates).

11 29. Through census-derived household surveys, three foundational datasets collect data
12 on multiple socioeconomic variables such as race, age, poverty, occupation, and housing costs.
13 More specifically, the Census Bureau relies on the decennial census to design and implement the
14 American Community Survey (ACS), the Current Population Survey (CPS), and the Consumer
15 Expenditure Survey (CEX) in five ways:

- 16 a. Sampling frame: The Census Bureau's Master Address File (MAF), the
17 underpinning of the decennial census operation, provides the frame from which a
18 survey sample is drawn;
- 19 b. Sample design: The decennial census delineates the primary sampling units from
20 which samples are to be drawn and the sampling rates by which they are drawn,
21 as well as guiding sample stratification, that is, the size of subsamples by
22 characteristics such as race and household composition;
- 23 c. Imputation: Nonresponses to individual questions are filled in by imputing, or
24 "borrowing" answers from other households with similar characteristics;
- 25 d. Weighting: In preparing survey estimates, the weight of each household's
26 response is determined in relation to the estimated overall number of households
27 and the estimated number of residents of similar age, sex, race, and Hispanic
28

origin, as derived from the decennial census through annual population and housing estimates; and

- e. Variance: To understand the reliability of any survey result, the survey sponsors need to produce estimates of variance, or sampling error, which also is based annual population and housing estimates.

30. The six foundational datasets enable the creation of 26 other census-derived datasets, in three categories:

- a. Geographical classifications (seven datasets): The designation of particular sets of geographic units on the basis of some combination of population density (e.g., urban/rural), population size, and commuting patterns. Each of the seven geographic classifications in the extension group use the Urban-Rural Classification and one or more of the multivariate datasets;
- b. Standard economic indicators (five datasets): Widely-recognized measures of economic conditions such as inflation, personal income, unemployment rate, and poverty rate that can be used to guide a multitude of assistance programs; and
- c. Program-specific indicators (14 datasets): Measures of specific economic conditions created to administer a particular financial assistance program, for example, Section 8 housing vouchers and Title I grants to local education agencies.

IV. ANALYSIS OF IMPACT OF DIFFERENTIAL UNDERCOUNT ON FEDERAL ASSISTANCE TO STATES

31. Most census-guided financial assistance programs use census-derived datasets to differentiate among geographic areas and then, through mechanisms such as eligibility and allocation formulas, distribute funds based on those differentiations.

32. Across the breadth of census-guided programs, geographic differences in the accuracy of the decennial census will lead to distortions in the distribution of financial assistance. That said, the sensitivity of funds distribution to census mismeasurement is by far the greatest for programs with geographic allocation formulas that rely on census-derived data. Allocation

1 formulas reflect a continuum of possible outcomes—place on that continuum is determined by
2 specific statistics, sometimes calculated to the one-hundredth or one-thousandth of a percent
3 point. Even modest geographic differences in census accuracy can lead to changes in funds
4 distribution.

5 33. In this section, I demonstrate the nature of the fiscal impacts of the inclusion of a
6 citizenship question on the 2020 Census on the distribution of federal domestic assistance. I do so
7 by illustrating the effects that different scenarios of undercounts would have on the distribution to
8 states of funds from three programs with relatively straightforward census-derived allocation
9 formulas—Supplemental Nutrition Program for Women, Infants, and Children (WIC), Social
10 Services Block Grants (SSBG), and Title I Grants to Local Education Agencies.

11 34. As I noted before, I have analyzed three such programs with such a purpose as
12 examples, but my opinion that any differential undercount among non-citizens will lead to a loss
13 of funding for state-share programs in certain states—California, New York, Texas, Florida, New
14 Jersey, Nevada, and Hawaii—should hold true for any of the other fifteen state-share programs
15 identified on Exhibit D as well.

16 **A. Methodology**

17 35. My analysis relies on population estimates provided to the plaintiffs by Dr. Fraga
18 regarding the number of residents missed in each state due to the inclusion of a citizenship
19 question on the 2020 Census questionnaire. These estimates include a 2020 baseline population
20 projection that assumes no citizenship question, and an estimate of percent of population
21 undercount in each of two scenarios that assume the citizenship question is included.

22 36. These scenarios are: (1) 5.8 percent of households with at least one non-citizen are
23 not counted; and (2) 5.8 percent of households with at least one non-citizen are not counted
24 initially, but 86.63 percent of these households are ultimately counted successfully through non-
25 response follow-up. I understand the basis for each of these two scenarios is described in Dr.
26 Fraga's testimony.

27 37. In each of my three program analyses, the baseline case is the latest available data on
28 funding by state, which is from FY2016. I then calculate the impact on each state of each of the

1 undercount scenarios as if they occurred in 2010, as actual appropriations are not known for years
2 subsequent to the 2020 Census. Each of the three programs analyzed rely on state share of a U.S.
3 population total (for WIC, infants and children ages zero to four at or below 185 percent of
4 poverty; for SSBG, total population; and for Title I, children ages five to 17 in poverty). For WIC,
5 SSBG, and Title I, I assumed that each of Dr. Fraga's scenarios affected each population age
6 group similarly, without revision.

7 38. The estimation methodology for WIC involves sequentially calculating: (1) each
8 state's percent share of population under the baseline 2020 scenario and the two undercount
9 scenarios; (2) each state's ratio of revised share to baseline share under each scenario; (3) each
10 state's percent share of children ages zero to four at or below 185 percent of poverty per FY2016
11 guidelines from the U.S. Department of Agriculture Food and Nutrition Services (FNS); (4) each
12 state's revised percent share of children ages zero to four at or below 185 percent of poverty
13 under each scenario (by multiplying actual share by ratio of revised populations share to baseline
14 populations share); (5) each state's ratio of revised share of children ages zero to four at or below
15 185 percent of poverty to baseline share under each scenario; (6) each state's percent share of
16 actual FY2016 grant spending; (7) each state's percent share of FY2016 grant spending under
17 each scenario (by multiplying actual share by the ratio of revised share of children ages zero to
18 four at or below under 185 percent of poverty in FY2016 to actual share); (8) each state's grant
19 under each scenario (by multiplying the revised share by the actual total FY2016 spending); and
20 (9) the difference between the actual and revised state grant under each scenario.

21 39. The estimation methodology for SSBG involves sequentially calculating: (1) each
22 state's percent share of population under the baseline 2020 scenario and the two undercount
23 scenarios; (2) each state's ratio of revised share to baseline share under each scenario; (3) each
24 state's percent share of actual FY2016 grant spending; (4) each state's percent share of FY2016
25 grant spending under each scenario (by multiplying actual share by the ratio of revised population
26 share to baseline population share); (5) each state's grant under each scenario (by multiplying the
27 revised share by the actual total FY2016 spending); and (6) the difference between the actual and
28 revised state grant under each scenario.

40. The estimation methodology for Title I grants involves sequentially calculating:

- (1) each state's percent share of population under the baseline 2020 scenario and the two undercount scenarios; (2) each state's ratio of revised share to baseline share under each scenario; (3) each state's percent share of children ages five to 17 in poverty in 2014 (the most recent year before the start of FY2016); (4) each state's revised percent share of children ages five to 17 in poverty under each scenario (by multiplying actual share by the ratio of revised population share to baseline population share); (5) each state's ratio of revised share of children ages five to 17 in poverty to baseline share under each scenario; (6) each state's percent share of actual FY2016 grant spending; (7) each state's percent share of FY2016 grant spending under each scenario (by multiplying actual share by the ratio of revised share of children ages five to 17 in poverty in FY2016 to actual share); (8) each state's grant under each scenario (by multiplying the revised share by the actual total FY2016 spending); and (9) the difference between the actual and revised state grant under each scenario.

41. I created the chart attached as **Exhibit F** to this declaration and marked as Exhibit PTX-838 as follows: (1) I was provided the names of cities to use for the comparison by counsel for the City of San José and the Los Angeles Unified School District; (2) I used the American FactFinder, a data webtool hosted by the U.S. Census Bureau, to design and download customized spreadsheets showing the total population, the total number of U.S. citizen and non-citizen residents, and the total number of non-white Hispanic residents for each city; (3) for comparison purposes, I also included in the spreadsheet design and download the total number of residents, the total number of U.S. citizen and non-citizen residents, and the total number of non-white Hispanic residents for the State of California and the United States, (4) for each geographic area, I calculated the percentage of all residents who were U.S. citizens, non-citizens, and non-White Hispanics, and (5) for the group of seven California cities and then for the group of ten cities outside of California, I sorted the rows in terms of rank order from the highest percentage to the lowest percentage of non-citizen residents.

42. The data from the 2017 one-year ACS therefore show that the city of City of San José and the City of Los Angeles each has a higher percentage of non-citizen residents (17.2 percent

1 and 19.4 percent, respectively) than the United States as a whole (6.9 percent) and the state of
2 California as a whole (13.0 percent).

3 **B. State-Share Programs**

4 **1. Supplemental Nutrition Program for Women, Infants and Children**
5 **(WIC)**

6 43. The objective of WIC is to provide low-income pregnant, breastfeeding, and
7 postpartum women, infants, and children to age five who have been determined to be at
8 nutritional risk, supplemental nutritious foods, nutrition education, and referrals to health and
9 social services at no cost. “Low-income” is defined as at or below 185 percent of the U.S. Poverty
10 Income Guidelines. State agencies have the option to limit WIC eligibility to U.S. citizens,
11 nationals, and qualified aliens (as defined in the Immigration and Nationality Laws), although I
12 am not aware of any that currently do so. Moreover, even if a state chose to limit WIC eligibility,
13 that state would lose the same proportion of funding, making such a decision irrelevant to my
14 opinions.

15 44. In 2016, 7.7 million people participated in WIC each month, on average—1.8
16 million women, 1.8 million infants, and 4.0 million children under five. From FY2015 to
17 FY2018, funding for WIC ranged between approximately \$6.5 and \$6.73 billion.

18 45. WIC provides funds to each state, which then delivers funds to local agencies. A
19 local agency is eligible to apply to the state agency to deliver locally the services of the WIC
20 Program, provided that: (1) it serves a population of low-income women, infants, and children at
21 nutritional risk; and (2) it is a public or private nonprofit health or human service agency.

22 46. Two types of WIC grants are provided to each state. The first is for Nutrition
23 Services and Administration (NSA) costs, to cover the costs of running the program and
24 providing assistance services. The second is Supplemental Food. The formula for NSA grants is
25 determined by a per participant formula, adjusted for inflation.

26 47. Once NSA grants are made, the remaining funds are allocated as Supplement Food
27 grants. They are apportioned by each state’s share of the nationwide number of infants and
28 children ages zero to four who are at or below 185 percent of poverty, which is considered the

1 “fair share target funding level,” as defined at 7 CFR 246.16 (c)(3)(1)(a) and 7 CFR 246.7(c)(3).
2 FNS regulations indicate that, to the extent funds are available, each state is to receive at least its
3 prior year grant allocation; if funds continue to be available, each state’s grant is adjusted for
4 inflation in food costs; and if funds continue to be available, each state receives funds up to its
5 fair share target funding level.

6 48. In the fall of each year, FNS publishes a memo of “State-Level Estimates of Infants
7 and Children [Ages 1-4] At or Below 185 Percent of Poverty” based on American Community
8 Survey data from the calendar year two years prior. The ACS in turn is reliant on the decennial
9 census and the Population Estimates databases, as described earlier. FNS uses the census-derived
10 Thrifty Food Plan to determine food cost inflation. That inflation is based on the Consumer Price
11 Index (CPI) for specific food items. The food component of the CPI in turn is based on the
12 Consumer Expenditure Survey, which is also dependent on decennial census results.

13 49. I have included below a table I created that reflects the states that would have been
14 at risk of losing WIC Supplemental Food grant funding in FY2016 under the two citizenship
15 question-induced undercount scenarios. Specifically, California, Texas, New York, New Jersey,
16 Florida, Nevada, Arizona, and Hawaii would lose funds under both scenarios.

17 50. It is my opinion that if either of the undercount scenarios are realized in the 2020
18 Census and if current program allocation formulas and funding levels remain similar over time,
19 such an undercount would cause many of these same states to lose money from this program in
20 the 2020s at approximately the same order of magnitude as the losses set forth in the table below.

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Change in Fair Allocation of WIC Supplemental Food Grants due to Census Undercount, by State, FY2016 -- Ranked

	FY2016 Grant	5.8% UC non-citizens	5.8% UC non-citizens + NRFU
California	\$ 794,007,601	\$ (6,411,831)	\$ (850,759)
Texas	\$ 343,031,514	\$ (1,348,106)	\$ (178,875)
New York	\$ 355,447,937	\$ (1,035,875)	\$ (137,446)
Florida	\$ 262,440,234	\$ (295,665)	\$ (39,231)
New Jersey	\$ 110,294,193	\$ (266,955)	\$ (35,421)
Nevada	\$ 34,626,614	\$ (150,348)	\$ (19,949)
Arizona	\$ 103,737,067	\$ (90,639)	\$ (12,027)
Hawaii	\$ 20,646,627	\$ (32,187)	\$ (4,271)

2. Social Services Block Grants

51. SSBG are grants provided to each state that the state may use to provide services directed toward one of the following five goals specified in the law: (1) to prevent, reduce, or eliminate dependency; (2) to achieve or maintain self-sufficiency; (3) to prevent neglect, abuse, or exploitation of children and adults; (4) to prevent or reduce inappropriate institutional care; and (5) to secure admission or referral for institutional care when other forms of care are not appropriate. While each jurisdiction determines the services that it will provide, the Department of Health and Human Services has indicated that the most frequent service categories supported include child care, child welfare, disability services, case management services, and adult protective services.

52. In FY2014, about 30 million people received services supported at least partially by SSBG funds. In FY2017, \$1.574 billion in SSBG funds were distributed to the 50 states plus the District of Columbia. In FY2018, the amount was \$1.579 billion.

53. Funds are allocated based on each state's share of total population for the 50 states and the District of Columbia, as determined by the Secretary of Health and Human Services on the basis of the most recent data available from the Department of Commerce. Specifically,

Population Estimates are used to determine each state's allocation of SSBG funds. The calculation of Populations Estimates is based on the decennial census and adjusted each year in part basis on international migration as calculated by the American Community Survey. The ACS in turn is reliant on the decennial census and Population Estimates as described earlier.

54. I have included below as a table I created that reflects the states that would have been at risk of losing Social Services Block Grants funding in FY2016 under the two citizenship question-induced undercount scenarios. Specifically, California, Texas, New York, Florida, New Jersey, Nevada, Arizona, Hawaii, Washington, Maryland, Illinois, and Massachusetts would lose funds under both scenarios.

55. It is my opinion that if either of the undercount scenarios are realized in the 2020 Census and if current program allocation formulas and funding levels remain similar over time, such an undercount would cause many of these same states to lose money from this program in the 2020s at approximately the same order of magnitude as the losses set forth in the table below.

**Change in Allocation of Social Services Block Grants
due to Census Undercount, by State, FY2016 -- Ranked**

	FY2016 Grant	5.8% UC non-citizens	5.8% UC non-citizens + NRFU
California	\$ 191,676,231	\$ (1,683,013)	\$ (223,450)
Texas	\$ 134,505,064	\$ (623,855)	\$ (82,828)
New York	\$ 96,931,926	\$ (351,201)	\$ (46,628)
Florida	\$ 99,260,163	\$ (182,317)	\$ (24,206)
New Jersey	\$ 43,863,741	\$ (137,277)	\$ (18,226)
Nevada	\$ 14,155,291	\$ (71,482)	\$ (9,491)
Arizona	\$ 33,434,253	\$ (52,963)	\$ (7,032)
Hawaii	\$ 7,009,977	\$ (15,904)	\$ (2,112)
Washington	\$ 35,110,289	\$ (14,209)	\$ (1,887)
Maryland	\$ 29,410,899	\$ (7,285)	\$ (967)
Illinois	\$ 62,970,158	\$ (6,266)	\$ (832)
Massachusetts	\$ 33,269,517	\$ (3,351)	\$ (445)

3. Title I Grants to Local Education Agencies

56. Title I Grants are intended to help local educational agencies (LEAs) improve teaching and learning in high-poverty schools in particular for children failing, or most at-risk of failing, to meet challenging state academic standards.

57. The Title I program serves approximately 25 million students in more than 80 percent of school districts and nearly 60 percent of public schools. Total Title I funding ranged from approximately \$14.41 billion in FY2015 to \$15.43 billion in FY2018.

58. Title I, Part A funds are allocated through four separate formulas. All four formulas are based on a “formula child count,” the number of children ages five to 17 from low-income families in each LEA. Other children counted for allocation purposes include children in families above the poverty line receiving Temporary Assistance for Needy Families, children in foster homes, and children in local institutions for neglected and delinquent children. Ninety-seven percent of the children calculated are from low-income families, with the remaining three percent from the other categories. Eligible LEAs receive funding based one or more of the formulas, but the final outcome of the Federal-State allocation process is a single Title I, Part A award to each qualifying LEA.

59. Three formulas are based primarily on the “formula child count” weighted by State per-pupil expenditures for education: (1) Basic Grants are awarded to school districts with at least ten formula children who make up more than two percent of their school-age population; (2) Concentration Grants provide additional funds to LEAs in which the number of formula children exceeds 6,500 or 15 percent of the total school-age population; and (3) Targeted Grants weight child counts to make higher payments to school districts with high numbers or percentages of formula children, such that an LEA must have at least ten formula children counted for Basic Grant purposes, and the count of formula children must equal at least five percent of the school age population.

60. The formula for Education Finance Incentive Grants (EFIG) also relies on the formula child count and then uses state-level “equity” and “effort” factors to make allocations to States that are intended to encourage States to spend more on education and to improve the equity

1 of State funding systems. Once State allocations are determined, sub-allocations to the LEA level
2 are based on a modified version of the Targeted Grants formula.

3 61. In FY2018, the distribution of total funding by formula was 41.7 percent to Basic
4 Grants, 8.8 percent to Concentration Grants, 24.8 percent to Targeted Grants, and 24.8 percent to
5 EFIG.

6 62. In determining allocations under each of the four formulas, the statute requires the
7 use of annually updated Census Bureau estimates of the number of children from low-income
8 families in each LEA. There is roughly a two-year lag between the income year used for LEA
9 poverty estimates and the fiscal year in which those estimates are used to make Title I allocations.

10 63. The Census Bureau annually prepares the Small Area Income and Poverty Estimates
11 (SAIPE) for use in the allocation of Title I grants to LEAs. SAIPE makes estimates at the levels
12 of state, county, and school district. Census-derived data sources for the estimation process
13 include Population Estimates, the American Community Survey, and Personal Income (which in
14 turn is based in part on the ACS). The ACS in turn is reliant on the decennial census and
15 Population Estimates, as described earlier.

16 64. I have included below a table I created that reflects the states that would have been
17 at risk of losing Title I funding in FY2016 under the two citizenship question-induced undercount
18 scenarios. Specifically, California, Texas, New York, Florida, New Jersey, Nevada, Arizona,
19 Hawaii, Washington, Maryland, Illinois, and Massachusetts would lose funds under both
20 scenarios.

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65. It is my opinion that if either of the undercount scenarios are realized in the 2020 Census and if current program allocation formulas and funding levels remain similar over time, such an undercount would cause many of these same states to lose money from this program in the 2020s at approximately the same order of magnitude as the losses set forth in the table below.

**Change in Allocation of Title I LEA Grants due to
Census Undercount, by State, FY2016 -- Ranked**

	FY2016 Grant	5.8% UC non-citizens	5.8% UC non-citizens + NRFU
California	\$ 1,749,000,363	\$ (15,278,566)	\$ (2,028,420)
Texas	\$ 1,367,579,292	\$ (6,281,372)	\$ (833,930)
New York	\$ 1,140,729,371	\$ (4,081,573)	\$ (541,880)
Florida	\$ 802,560,933	\$ (1,437,825)	\$ (190,889)
New Jersey	\$ 343,129,691	\$ (1,058,374)	\$ (140,512)
Nevada	\$ 120,121,711	\$ (601,183)	\$ (79,815)
Arizona	\$ 344,902,908	\$ (530,756)	\$ (70,464)
Hawaii	\$ 49,903,423	\$ (110,966)	\$ (14,732)
Washington	\$ 242,701,346	\$ (87,233)	\$ (11,581)
Maryland	\$ 206,626,467	\$ (41,825)	\$ (5,553)
Illinois	\$ 682,473,823	\$ (36,997)	\$ (4,912)
Massachusetts	\$ 238,963,767	\$ (13,244)	\$ (1,758)

66. Within any state that would lose Title I funds under the above scenario, any individual school district with a percentage of non-citizens higher than the percentage for the state as a whole would have a further decrease in funding when the funding received by the state is distributed to the local education agencies within that state. While a point-estimate decrease cannot be calculated without estimating the projected undercount due to the inclusion of the citizenship question for each school district receiving funds, I conclude with a high degree of professional certainty that under any of the undercount scenarios presented by Dr. Fraga, the Los Angeles Unified School District (LAUSD) would receive less Title I funding than it would in the absence of a citizenship status question.²

² According to 2017 ACS 1-year estimates, 19.6 percent of the population of the LAUSD are non-citizens, compared to 13.0 percent for the state of California and 6.9 percent for the United States.

**V. OBSERVATIONS REGARDING THE IMPACT OF DIFFERENTIAL UNDERCOUNT ON
FEDERAL ASSISTANCE TO SUBSTATE AREAS OF CALIFORNIA**

A. WORKFORCE INNOVATION AND OPPORTUNITY ACT

67. Grants authorized by the Workforce Innovation and Opportunity Act (WIOA) are distributed to local workforce development areas through the Dislocated Workers program (Catalog of Federal Domestic Assistance (CFDA) #17.278, 29 U.S.C. § 3173(b)(2)(B)), the Adult Activities program (CFDA #17.258, 29 U.S.C. § 3173(b)(2)(A)), and the Youth Activities program (CFDA #17.259, 29 U.S.C. § 3163). Under each of these programs, funds are distributed first to states and then are distributed to local workforce development areas according to intrastate allocation formulas prescribed by federal law.³

68. I can state with a high degree of professional certainty that California's state WIOA funding would be lower under each of the scenarios set forth by Dr. Fraga.

69. [REDACTED]

70. [REDACTED]

³ State and substate allocation formulas for the three WIOA programs are described in "Training and Employment Guidance Letter No. 16-17" (May 21, 2018) published by the U.S. Employment and Training Administration at https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3332.

⁴ [REDACTED]

B. COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM

71. Under the Community Development Block Grant (CDBG) Entitlement Program (CFDA #14.218), the U.S. Department of Housing and Urban Development (HUD) provides funds to eligible “entitlement communities.”⁶ Each entitlement community receives funds from HUD according to a set of formulas prescribed in law and that includes data on population, poverty rates, and housing conditions. These data are derived from the ACS.

72.

73.

⁶ Per Title 42, Chapter 69 of the U.S. Code, entitlement communities include principal (central) cities of metropolitan areas, other metropolitan-based cities (satellite) with populations of 50,000 persons or more, and statutorily defined urban counties whose populations may range from 100,000 to 200,000 persons. In FY2018, California has 184 entitlement communities, according to HUD at <https://www.hudexchange.info/grantees/allocations-awards/>.

1 **VI. CONCLUSION**

2 74. In sum, it is my opinion, held to a strong degree of professional certainty, that for
3 programs with allocation formulas based on a state's population relative to the nation, and
4 assuming allocation formulas and funding levels remain similar, a differential decennial census
5 undercount among noncitizens would lead to measurable fiscal losses for those states with
6 percentages of those groups above the nationwide average.

7 I reserve the right to amend or supplement my opinions if additional information or
8 materials become available. I declare under penalty of perjury under the laws of the United States
9 and the State of California that the foregoing is true and correct to the best of my knowledge.

10 DATED: 12/28/18

11 Andrew Reamer
12 Andrew Reamer, Ph.D.
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EXHIBIT A

(Exhibit intentionally omitted pursuant to the Court's Order Re Defendants' Motion in Limine and Objections to Plaintiffs' Trial Declarations dated January 11, 2019 (ECF No. 168))

EXHIBIT B



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Education

- Ph.D. in Economic Development and Public Policy, Department of Urban Studies and Planning, Massachusetts Institute of Technology (1987)
- Master in City Planning, Department of Urban Studies and Planning, Massachusetts Institute of Technology (1981)
- Bachelor of Science in Economics, cum laude, Wharton School, University of Pennsylvania (1971)

Professional Experience

Research Professor, George Washington Institute of Public Policy, George Washington University (2011-present)

Focus on policies that encourage and support U.S. economic competitiveness. Areas of interest include innovation, regional economic and workforce development, and economic statistics.

Advisory Committees

- Member, Workforce Information Advisory Council, U.S. Department of Labor (2016-2018)
- Member, Data User Advisory Committee, U.S. Bureau of Labor Statistics (2009-2018, chair 2009-2011)
- Member, National Advisory Committee on Innovation and Entrepreneurship, U.S. Department of Commerce (2016-2018)
- Member, U.S. Bureau of Economic Analysis Advisory Committee (2008-present)
- Member, Statistics Committee, National Association for Business Economics (2013-present)
- Member, Panel on Communicating National Science Foundation Science and Engineering Information to Data Users, Committee on National Statistics, National Research Council (2010-2011)

Publications

- "Nationwide Data Initiative: Principles of Approach to Organizational Design and Development," for the US Partnership on Mobility from Poverty, April 2018
- "Counting U.S. Secondary and Postsecondary Credentials," co-author with Center for Regional Economic Competitiveness, for Credential Engine, April 2018

- “Counting for Dollars 2020: The Role of the Decennial Census in the Geographic Distribution of Federal Funds – Report #2: Estimating Fiscal Costs of a Census Undercount to States,” March 2018
- “A Roadmap to a Nationwide Data Infrastructure for Evidence-Based Policymaking,” with Julia Lane, *The ANNALS of the American Academy of Political and Social Science*, Vol 675, Issue 1, 2018
- “Before the U.S. Tariff Commission: Congressional Efforts to Obtain Statistics and Analysis for Tariff-setting, 1789–1916,” chapter for *Centennial History of the United States International Trade Commission*, November 2017
- “Toward A U.S. Competitiveness Strategy,” *Innovations: Technology, Governance, Globalization*, Policy Design issue, Summer-Fall 2017, Volume 11, Issue 3-4
- “Counting For Dollars: The Role of the Decennial Census in the Geographic Distribution of Federal Funds Initial Analysis: 16 Largest Census-guided Programs,” August 2017.
- “Federal Efforts in Support of Entrepreneurship: A Reference Guide,” prepared for the Kauffman Foundation, April 2017
- “Better Jobs Information Benefits Everyone,” *Issues in Science and Technology*, v. 23, n. 1, Fall 2016, pp. 58-63.
- “Data Resources to Support Middle-Skill Workforce Development,” research paper prepared for Committee on the Supply Chain for Middle-Skill Jobs: Education, Training and Certification Pathways, Board on Science, Technology and Economic Policy, National Academy of Sciences, August 2015
- “Analyzing Talent Flow: Identifying Opportunities for Improvement,” with Robert Sheets and David Stevens, for the Talent Pipeline Management Initiative of the Center for Education and Workforce, U.S. Chamber of Commerce Foundation, July 2015
- “Stumbling into the Great Recession: How and Why GDP Estimates Kept Economists and Policymakers in the Dark,” GWIPP research note, April 2014
- “Indicators of the Capacity for Invention in the United States,” research paper prepared for the Lemelson Foundation, March 2014
- “The Impacts of Technological Invention on Economic Growth – A Review of the Literature,” research paper prepared for the Lemelson Foundation, February 2014
- “National Nonprofit Organizations That Inspire and Enable Invention and Invention-based Enterprises,” research paper prepared for the Lemelson Foundation, February 2014
- “Global Entrepreneurship Week Policy Survey,” report, Public Forum Institute, November 2013
- “Improving Federal Statistics for Industry Studies,” research paper presented at Industry Studies Association annual conference, Kansas City, Missouri, May 2013
- “Using Real-time Labor Market Information on a Nationwide Scale,” policy brief, Credentials That Work Initiative, Jobs for the Future, April 2013

- “Labor Market Information Customers and Their Needs: Customer-Oriented LMI Product Innovation,” with Center for Regional Economic Competitiveness, report for the Customer Consultation Study Group, Workforce Information Council, April 2012
- “Economic Intelligence: Enhancing the Federal Statistical System to Support U.S. Competitiveness,” policy brief, Series on U.S. Science, Innovation, and Economic Competitiveness, Center for American Progress, February 2012
- “Say Goodbye to the Survey of Business Owners?,” Policy Forum Blog, the Policy Dialogue on Entrepreneurship, September 26, 2011.
- “The Quality of Economic Statistics is About to Erode,” Policy Forum Blog, the Policy Dialogue on Entrepreneurship, September 19, 2011
- “Putting America to Work: The Essential Role of Federal Labor Market Statistics,” article, AMSTAT News, American Statistical Association, March 1, 2011
- “The Federal Role in Encouraging Innovation: The ‘I’s’ Have It,” article, Innovation Policy Blog, December 18, 2010

Congressional and Other Public Testimony

- “The Evolution of the Federal Statistical System: Implications for Evidence-based Policymaking,” testimony to the Commission on Evidence-based Policymaking, March 13, 2017
- “The American Community Survey: Approaches to Addressing Constituent Concerns,” testimony before the Subcommittee on Federal Financial Management, Committee on Homeland Security and Government Affairs, U.S. Senate, Washington, DC, July 18, 2012
- “The Economic Impact of Ending or Reducing Funding for the American Community Survey and Other Government Statistics,” testimony before the Joint Economic Committee, U.S. Congress, Washington, DC, June 19, 2012
- Testimony on the President’s FY2012 Budget before the House Appropriations Subcommittee on Commerce, Justice, Science, and Related Agencies, Washington, DC, March 11, 2011

Public Presentations

- “A Compendium of Federal Efforts to Support Entrepreneurship: Assessment and Implications,” Industry Studies Association, May 26, 2016
- “Communicating the American Community Survey’s Value to Respondents,” Committee on National Statistics, National Academy of Sciences, March 8, 2016.
- “The Mercantilist Policy Origins of Federal Economic Statistics Agencies,” History of Economics Society annual conference, June 27, 2015.
- “Data Resources to Support Middle-Skill Workforce Development,” Symposium on the Supply Chain for Middle-Skill Jobs: Education, Training and Certification Pathways, June 25, 2015.
- “Towards a Federal Strategy for U.S. Economic Competitiveness,” Industry Studies Association, May 27, 2015

- “Madison’s Legacy: Federal Statistical Products Based on the American Community Survey,” ACS Data Users Conference, May 12, 2015
- “Stumbling into the Great Recession: How and Why GDP Estimates Kept Economists and Policymakers in the Dark,” GW Forecasting Seminar, February 12, 2015
- “Efforts to Measure Trade in Value-Added and Map Global Value Chains: A Guide,” Industry Studies Association Annual Conference, Portland, Oregon, May 29, 2014
- “Stumbling into the Great Recession: How and Why GDP Estimates Kept Economists and Policymakers in the Dark,” presented to the U.S. Bureau of Economic Analysis Advisory Committee, Washington, DC, May 9, 2014
- “The Manufacturing Policy Origins of U.S. Economic Statistical Agencies,” presentation to the Manufacturing Council, U.S. Department of Commerce, Washington, DC, July 23, 2013
- “A Foundation to Measure U.S. Economic Competitiveness: Proposals,” presented at “Measuring Competitiveness: In Search of New Metrics” Luncheon, Bernard L. Schwartz Program in Competitiveness and Growth Policies, Carnegie Endowment for International Peace, Washington, DC, June 20, 2013
- “Sources and Uses of Federal Labor Market Information: Current Developments,” presentation to the Real-Time LMI Innovators Network, Jobs for the Future, Boston, MA, April 16, 2013
- “The Economic Census and Its Role in Economic Statistics,” 2012 Economic Census Conference, U.S. Census Bureau, Washington, DC, October 15, 2012
- “The Government’s Role in Stimulating Clusters,” Workshop: Encouraging the Commercialization of Research Results and the Utilization of Cluster Mapping through EU-US Collaborations, Center for Transatlantic Relations, Johns Hopkins University, Washington, DC, December 7, 2011
- “Employment and Workforce Data Systems at the Federal Level: New Developments, Challenges, and Opportunities for Community Colleges,” presented to Real Time LMI Innovators Network, Jobs for the Future, Chicago, IL, November 29, 2011
- “Statistics for Cluster Analysis: Innovations and Opportunities,” presentation to the Taskforce for the Advancement of Regional Innovation Clusters (TARIC), U.S. Department of Commerce, Washington, DC October 24, 2011
- “Sub-National STI Statistics: Recommendations for the National Center for Science and Engineering Statistics,” presentation to panel on Developing Science, Technology, and Innovation Indicators for the Future, National Academies of Science, Washington, DC, July 12, 2011
- “Regional Clusters and Federal Economic Policy,” presentation to Manufacturing Industry Study Seminar, Industrial College of the Armed Forces, Washington, DC, March 22, 2011
- “Innovations in Federal Statistics: New Views on Regions,” presented to Understanding, Using, and Maximizing New Federal Data Workshop, IEDC 2011 Federal Economic Development Forum, March 20, 2011

- “The Changing Landscape of Federal Workforce Statistics: The Context for Real-Time LMI,” presentation to Credentials That Work workshop, Jobs for the Future, Washington, DC, March 15, 2011
- “Putting America to Work: The Essential Role of Federal Labor Market Statistics,” presentation to Local Employment Dynamics Partnership Workshop, Washington, DC, March 9, 2011

Hosted Public Events

- “Innovative Data Sources for Regional Economic Analysis,” conference and symposium, Washington, DC, May 7-9, 2012
- “Roundtable on Science, Technology, and Innovation Data and Indicators,” Washington, DC, June 29, 2011

Public Resource Material

- “[Education and Workforce Data Resources](#),” LMI Institute, Fall 2014
- “[Public and Private Sources of Education and Workforce Data](#),” April 2014
- “[Resources Regarding the American Community Survey \(ACS\) of the U.S. Census Bureau](#),” May-December 2012

Reports to Clients for Internal Use

- “Federal Manufacturing Policy: An Historical Overview,” reference paper prepared for the U.S. Department of Commerce, August 2013
- Papers and reports prepared with the University of North Carolina for “Evaluation and Assessment of Economic Development Investments,” a cooperative project with the U.S. Economic Development Administration, October 2011-December 2013
- Analyses prepared for the Panel on Developing Science, Technology, and Innovation Indicators for the Future, Committee on National Statistics in collaboration with the Board on Science, Technology, and Economic Policy, National Research Council, April 2011-December 2012.

Fellow, Metropolitan Policy Program, The Brookings Institution (2006-2010)

Managed the Federal Data Project, an effort that encouraged the federal government to produce the current, accurate, detailed geographic data needed by public and private decision-makers and researchers. Priorities included economic statistics, demographic statistics, and federal expenditures data. Methods include congressional testimony and briefings, public presentations, written and oral communications with federal statistical organizations, public and roundtable events, statistical system stakeholder network development, participation in statistical agency advisory committees, and data product development.

Examples of efforts included:

- Economic Statistics

- “Putting America to Work: The Essential Role of Federal Labor Market Statistics” (2010)
- Economic data roundtables with federal statistical agencies, professional and trade associations, policy research organizations, and federal program agencies (2008-2010)
- Regarding Census Bureau’s Local Employment Dynamics program – congressional briefings, annual conference and leadership meetings, panel session participation (2006-2010)
- “Measuring Up in a Changing Economy: A Look at New U.S. Service Sector Data and Why It Matters,” public event and roundtable (2010)
- Who Cares About Economic Statistics,” *Dismal Scientist*, Moody’s Economy.com (2009)
- “The Structure of the U.S. Economic Statistical System: Implications for Public Policy,” presentation to the International Statistical Institute conference, Durban, South Africa (2009)
- “In Dire Straits: The Urgent Need to Improve Economic Statistics,” *AmStat News* (2009)
- “Ensuring Economic Programs Accurately Reflect the 21st Century,” speech to the Census Bureau Economic Programs Directorate leadership off-site (2008)
- “The Department of Commerce Budget Request for Fiscal Year 2008: Observations for Consideration,” testimony before the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies (2007)
- Demographic Statistics
 - “Surveying for Dollars: The Role of the American Community Survey in the Geographic Distribution of Federal Funds” (2010)
 - “Counting for Dollars: The Role of the Decennial Census in the Geographic Distribution of Federal Funds” (2010)
 - “The Federal Statistical System in the 21st Century: The Role of the Census Bureau,” testimony before the Joint Economic Committee (2009)
 - “Tempest Over the Census,” Brookings editorial (2009)
 - Prototype database to determine geographic allocation of federal funds (counties, metros, states) on the basis on census statistics (2008-09)
 - Prototype tool to provide maps and tables on “hard-to-count” census tracts throughout the U.S. (2008-09)
 - Communications with OMB and Census Bureau leading to improved decennial census enumeration of households in small multi-unit buildings without traditional city-style addresses (2006-09)
 - Census Bureau-data user roundtables on improving Census Bureau’s American Community Survey data products (2007-08)

- “Preparations for 2010: Is the Census Bureau Ready for the Job Ahead?,” testimony before the Senate Committee on Homeland Security and Governmental Affairs Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security (2007)
- “The 2010 Census: What State, Local, and Tribal Governments Need to Know,” workshop (2007)
- Federal Spending Transparency and Accountability
 - “Metro Potential in ARRA: An Early Assessment of the American Recovery and Reinvestment Act” (with Mark Muro, Jennifer Bradley, Alan Berube, Robert Puentes, and Sarah Rahman), chapter on transparency (2009)
 - Memos to and meetings with Congress and the Office of Management and Budget (OMB) on the design and implementation of the Federal Financial Accountability and Transparency Act of 2006 and American Recovery and Reinvestment Act (2007-09)
 - “OMB’s Congressional Mandates to Provide Information on Federal Spending,” presentations to the National Grants Partnership (2007) and National Academies of Science (2008)

Prepared briefs, articles, presentations, and testimony on federal economic development policy.

- “Stimulating Regional Economies: the Federal Role,” presented at Growing Innovation Clusters for American Prosperity symposium, National Academy of Sciences (2009)
- “Congress Directs EDA to Act on Clusters,” *The New Republic* blog post (with Mark Muro, 2009)
- “Clusters and Competitiveness: A New Federal Role for Stimulating Regional Economies” (with Karen Mills and Elisabeth Reynolds, 2008)
- “The Department of Commerce Budget Request for Fiscal Year 2008: Observations for Consideration,” testimony before the House Committee on Appropriations, Subcommittee on Commerce, Justice, Science and Related Agencies (2007)
- “The Federal Role in Regional Economic Development,” testimony before the House Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings, and Emergency Management (2007)
- “How Economic Change Happens and Why We Resist It,” speech before the Symposium on Change, University of Buffalo Regional Institute (2007)

Deputy Director and Fellow, Urban Markets Initiative, The Brookings Institution (2004-06)

Guided a foundation-funded effort to increase the availability and accessibility of data on urban neighborhoods. Projects managed included:

- Federal data agenda – identifying ways in which the federal government can improve availability and accessibility of statistics for states, metro areas, cities, and neighborhoods
- National Infrastructure for Community Statistics – managing a Community of Practice (CoP) focused on the development of a nationwide infrastructure to provide widespread access to data from multiple sources on multiple topics
- Urban budgets – creating a tool to ascertain the flow of federal investments by type of investment and by county

Examples of efforts included:

- “To Take a Bite Out of Crime: Safeguard the Census,” *Brookings Alert* (2006)
- “Anticipating the Unimaginable: The Crucial Role of the Census in Disaster Planning and Recovery,” *Brookings Alert* (2006)
- “Apportionment in the Balance: A Look into the Progress of the 2010 Decennial Census,” testimony before House Committee on Government Reform (2006)
- “Better Data for Better Decisions: The Value of the American Community Survey to the Nation,” Brookings Briefings on the Census (2006)
- “The Road to 2010: Plans for the 2010 Census and the American Community Survey,” Brookings Briefings on the Census (2006)
- “Federal Statistics: Robust Information Tools for the Urban Investor” (with Pari Sabety, 2005)

Principal, Andrew Reamer & Associates (full-time 1995-2004, part-time 2004-present)

Promotes sound public policy and effective economic development through three sets of activities:

- Building Capacities for Producing and Using Regional Socioeconomic Data
- Indicator Systems Design and Implementation
- Regional Economic Development Analysis, Strategy, and Program Development

Building Capacities for Producing and Using Regional Socioeconomic Data

- Determining Public and Private Sector Needs For Socioeconomic Data
 - Federal Data Agenda, Urban Markets Initiative, Brookings Institution (consultant, 2004). Managed staff assessments of 30 federal statistical agencies to determine issues and barriers to providing data useful for urban market decisions, and priorities for action to address these issues and barriers.
 - Socioeconomic Data for Economic Development: An Assessment (with Joseph Cortright, for U.S. Economic Development Administration, 1999)
- Mechanisms to Enhance Economic Markets Through Improved Data Development, Access, and Use

- Guides
 - Socioeconomic Data for Understanding Your Regional Economy: A User's Guide (with Joseph Cortright, for U.S. Economic Development Administration, 1998)
- Web sites
 - WorkforceUSA (adviser to Workforce Learning Strategies, for U.S. Department of Labor and Ford Foundation, 2002)
 - Mapstats (adviser to Mapstats Working Group, FedStats Task Force, 2000-01)
 - EconData.Net (co-developer and –owner, with Joseph Cortright, 1999-present). Econdata.Net is a portal to 1,000 on-line sources of regional socioeconomic data, organized by topic and provider. The site has 14,000 visitors monthly, and 3,000 subscribers to a monthly newsletter, StatScan. EconData.Net was developed and operated using Economic Development Administration funds, and is now sponsored by the Fannie Mae Foundation.
- CDs
 - R-Maps, Office of Policy Development and Research, U.S. Department of Housing and Urban Development (facilitator of development of CD with PD&R data sets and LandView mapping tool, 2000-01)
- Conference Design and Development
 - America's Scorecard: The Historic Role of the Census Bureau in an Ever-Changing Nation, Woodrow Wilson International Center for Scholars, Washington, DC (for Census Bureau, March 2004)
 - International Conference on Community Indicators, Community Indicators Consortium, Reno, Nevada (March 2004)
 - Next Generation of Community Statistical Systems, Tampa, Florida (with University of Florida, for Ford Foundation, March 2002)
 - Innovations in Federal Statistics, Woodrow Wilson International Center for Scholars, Washington, DC (for the Center, May 2001)
- Organizational and Professional Network Development and Management
 - Community Indicators Consortium (conference track chair, planning committee chair, 2004)
 - Community Statistical Systems Network (2002 – 04)

Indicator Systems Design and Implementation

- Working Poor Families Project, Annie E. Casey Foundation/Ford Foundation/Rockefeller Foundation (with Brandon Roberts + Associates, 2001 – present)

- Annually oversee the preparation of state indicators on the economic conditions and characteristics of working families and individuals
- With Brandon Roberts, advised state advocacy organizations (15 to date) in the preparation of policy reports on low-income working families
- Co-authored one national report (2004) and advised on second (2008)
- “Development Report Card for the States,” Corporation for Enterprise Development (1987 – 2006)
 - Annually prepared indicators on economic vitality for the 50 states
 - Advised on revisions of indicators framework

Regional Economic Development Analysis, Strategy, and Program Development

- Nationwide Analysis Of Regional Economic Dynamics and Programs
 - Technology Transfer and Commercialization: Their Role in Economic Development (for Economic Development Administration, 2003) – Note Chapter Three and Appendix B on the geography of innovation in the U.S.
- Guides
 - Strategic Planning in the Technology-Driven World: A Guidebook for Innovation-Led Development, Collaborative Economics (co-author with Jennifer Montana, for Economic Development Administration, 2001)
- Regional Economic Analysis, Strategy, and Program Development (see next section)

Other Prior Professional Experience – Regional Economic Development

As co-founder and principal of Mt. Auburn Associates (1984-1995) and as principal of Andrew Reamer & Associates (1995-present), Andrew Reamer managed and participated in regional economic development studies of three types: analysis and strategy, program evaluation, and program design

Analysis and Strategy

- General Regional Economic Development Analyses and Strategies

Involved in over 30 general economic development studies, clients include:

 - States of Massachusetts, Rhode Island, Arkansas, Indiana, Georgia, and Colorado
 - Regions in western Massachusetts, northeast and northwest Connecticut, northern New Mexico, northwest Oregon
 - Metro areas of Boston, Worcester, and Springfield, Massachusetts; Nashua, New Hampshire; Indianapolis, Indiana; Memphis, Tennessee; Shreveport, Louisiana; Austin, Texas
 - Cities of Boston, Massachusetts, Dublin, Ohio, and Collierville, Tennessee

- Clarke County, Georgia and Aiken County, South Carolina
- Regional Industry Competitive Analyses and Strategies
 - Examined competitive strengths, weaknesses, and strategy options for specific regional industries, include fiber optics, telecommunications, information technology, advanced materials, software, metalworking, environmental technology, marine technology, biomedical, food processing, footwear, plastics, oil, natural gas, petrochemicals, wood products, warehousing and distribution, and heavy vehicles.
- Advanced Technology Analyses and Strategies
 - Analyzed key technology industries and development opportunities in Iowa and Virginia
- Prepared regional strategies for promoting technology transfer from the Los Alamos National Laboratory, the Department of Energy Jefferson National Accelerator Facility, and the Air Force's Rome Laboratory. Regional Defense Adjustment Efforts
 - Managed or participated in the preparation of conversion strategies for defense-dependent regions, facilities reuse plans, and base closure impact analyses.
- Recyclable Material Markets Analyses and Strategies
 - Managed or participated in preparation of analyses and strategies in New York, Pennsylvania, Massachusetts, Connecticut, Rhode Island, Texas, North Carolina, Mississippi, and Iowa.

Program Evaluation

- Evaluation Of Federal Economic Development Programs
 - Managed or participated in evaluation of the U.S. Economic Development Administration's Revolving Loan Fund, Technical Assistance, Public Works, and Small Business Incubator programs.
 - Managed two evaluations of the Jobs Through Recycling program of the U.S. Environmental Protection Agency.
- Evaluation of State Economic Development Programs
 - Managed or participated in evaluation of Ohio's Edison Technology Centers and technology transfer intermediaries, New York's Office of Recycling Market Development, Iowa's small business incubator program, Oregon's Regional Strategy program, Georgia's economic development agencies, and Massachusetts' Community Development Finance Corporation.

Program Design

- Design Of State And Individual Small Business Incubator Programs

- Managed program-specific efforts for the states of Massachusetts and Iowa and facility-specific efforts in New Mexico and Massachusetts.
- Design Of State Defense Industry Conversion Programs
 - For the National Governors Association, participated in the development of state defense industry conversion programs in Massachusetts, Rhode Island, and Virginia.

Chronology of Professional Experience

- Research Professor, George Washington Institute of Public Policy, George Washington University (2011-present)
- Nonresident Senior Fellow, Metropolitan Policy Program, The Brookings Institution (2010-2013)
- Fellow, Metropolitan Policy Program, The Brookings Institution (2005-2010)
- Deputy Director and Fellow, Urban Markets Initiative, Metropolitan Policy Program, The Brookings Institution (2004-06)
- Principal, Andrew Reamer & Associates (full-time 1995-2004, part-time 2004-present)
- Lecturer, Department of Urban Studies and Planning, Massachusetts Institute of Technology (1986, 2002-04)
- Principal, Mt. Auburn Associates (1984-1995)
- Case Team Member, Rhode Island Strategic Development Commission (1983-84)
- Consultant, Counsel for Community Development (1982-83)
- Graduate instructor, MIT Department of Urban Studies and Planning (1981-82)
- Policy Analyst, U.S. Department of Commerce, Office of the Assistant Secretary for Policy (1980)
- Research Assistant, MIT Center for Transportation Studies (1981-82)
- Research Assistant, MIT Energy Laboratory (1978-1981)
- Health Planner, Maryland Health Planning and Development Agency (1975-78)
- Administrative Assistant, Johns Hopkins Hospital (1974)
- Research Analyst, Boston Urban Observatory, University of Massachusetts (1973)
- Summer Intern, Mayor's Office of Public Service, City of Boston (1970, 1971)

Achievements and Honors

- Doctoral Fellow, Harvard-MIT Joint Center for Urban Studies (1983-1984)

Professional Affiliations

- Association of Public Data Users, Past President (2011-2012), President (2009-2010), Vice President (2008), Board member (2006-2007)
- Council for Community and Economic Research, Board member (2007- 2012)

- National Association for Business Economics, Member of Statistics Committee (2013-present)
- International Economic Development Council
- American Economic Association
- History of Economics Association
- Association for Public Policy Analysis and Management
- American Statistical Association
- Association for Talent Development

EXHIBIT C

Exhibit C

SOURCES FOR TRIAL DECLARATION OF DR. ANDREW REAMER *State of California, et al. v. Wilbur L. Ross, et al.*, No. 3:18-cv-01865

The following is a list of sources relied on by Dr. Andrew Reamer when forming his expert opinions, as articulated in his Trial Declaration:

Publications

- Danielle Neiman, Susan King, David Swanson, Stephen Ash, Jacob Enriquez, and Joshua Rosenbaum, “Review of the 2010 Sample Redesign of the Consumer Expenditure Survey,” presented at the Joint Statistical Meetings, October 2015.
- Congressional Research Service, “Community Development Block Grants and Related Programs: A Primer,” R43520, April 30, 2014, available at <https://nationalaglawcenter.org/wp-content/uploads/assets/crs/R43520.pdf>.
- Congressional Research Service, “Medicaid’s Federal Medical Assistance Percentage (FMAP),” R43847, April 28, 2018, available at <https://fas.org/sgp/crs/misc/R43847.pdf>.
- Congressional Research Service, “A Primer on WIC: The Special Supplemental Nutrition Program for Women, Infants, and Children,” Report R44115, April 7, 2017, available at <https://www.everycrsreport.com/files/20170407R441156016e730b90870b2d72a71fa9e0d8c70285d73ea.pdf>.
- Office of Management and Budget, “Analytical Perspectives, Budget of the United States Government, Fiscal Year 2019,” Supplemental Materials, February 2018, Table 19.8: Direct Loan Transactions of the Federal Government and Table 19.9: Guaranteed Loan Transactions of the Federal Government, available at <https://www.whitehouse.gov/omb/analytical-perspectives/> (PTX-780).
- U.S. Census Bureau, “American Community Survey: Design and Methodology,” January 2014, at <https://www.census.gov/programs-surveys/acs/methodology/design-and-methodology.html>.
- U.S. Census Bureau, “Chapter 3. Frame Development” in “American Community Survey: Design and Methodology,” January 2014.
- U.S. Census Bureau, “Section 10.6: Editing and Imputation” in “American Community Survey: Design and Methodology,” January 2014.
- U.S. Census Bureau, “Chapter 11. Weighting and Estimation,” in “American Community Survey: Design and Methodology,” January 2014.
- U.S. Census Bureau, “Chapter 14: Estimation of Variance” in “Current Population Survey: Design and Methodology,” Technical Paper 66, October 2006.
- U.S. Census Bureau, “Methodology For The United States Population Estimates: Vintage 2017, Nation, States, Counties, and Puerto Rico – April 1, 2010 to July 1, 2017,”

available at <https://www2.census.gov/programssurveys/popest/technical-documentation/methodology/2010-2017/2017-natstcopr-meth.pdf> (PTX-782).

- U.S. Census Bureau, “SAIPE Methodology,” available at <https://www.census.gov/programs-surveys/saipe/technicaldocumentation/methodology.html>.
- U.S. Census Bureau, “Urban-Rural Classification,” available at <https://www.census.gov/geo/reference/urban-rural.html>.
- U.S. Department of Agriculture, “2013 State-Level Estimates of Infants and Pre-School-Age Children at or Below 185 Percent of Poverty,” September 1, 2015, available at <https://fns-prod.azureedge.net/sites/default/files/wic/2013%20State-Level-Estimates-of-Infants-and-Pre-School-Age-Children-at-or%20....pdf>.
- U.S. Department of Agriculture, “2019 President's Budget: Food and Nutrition Service,” February 2018, p. 32-64, available at <https://www.obpa.usda.gov/32fns2019notes.pdf>.
- U.S. Department of Education, “Improving Basic Programs Operated by Local Educational Agencies (Title I, Part A),” available at <https://www2.ed.gov/programs/titleiparta/index.html>.
- U.S. Department of Education, “Education for the Disadvantaged: Fiscal Year 2019 Budget Request,” pp. A-12, A-15, A-1, available at <https://www2.ed.gov/about/overview/budget/budget19/justifications/a-ed.pdf>.
- U.S. Department of Education, “Department of Education Budget Tables,” available at <https://www2.ed.gov/about/overview/budget/tables.html>.
- U.S. Department of Education, “Title I Allocation Formulas,” presentation at the National Title I Conference, February 2018, Philadelphia, Pennsylvania, available at <https://www2.ed.gov/about/offices/list/oese/oss/technicalassistance/titleiallocationformulastitleiconfppt22018.pdf>.
- U.S. Department of Food and Nutrition Services, “School Meals: Rates of Reimbursement,” available at <https://www.fns.usda.gov/school-meals/rates-reimbursement>.
- U.S. Department of Food and Nutrition Services, “USDA Food Plans: Cost of Food,” available at <https://www.cnpp.usda.gov/USDAFoodPlansCostofFood>.
- U.S. Department of Food and Nutrition Services, “Women, Infants, and Children (WIC),” available at <https://www.fns.usda.gov/wic/women-infants-and-children-wic>.
- U.S. Department of Food and Nutrition Services, “WIC Funding and Program Data,” available at <https://www.fns.usda.gov/wic/wic-funding-and-program-data>.
- U.S. Office of the Administration for Children and Families, “Social Services Block Grant Program (SSBG),” available at <https://www.acf.hhs.gov/ocs/programs/ssbg>.
- U.S. Office of the Administration for Children and Families, “SSBG Fact Sheet,” available at <https://www.acf.hhs.gov/ocs/resource/ssbg-fact-sheet>.

- U.S. Office of the Administration for Children and Families, “Fiscal Year 2015 SSBG State Profile,” available at https://www.acf.hhs.gov/sites/default/files/ocs/rpt_ssbg_state_data_fy2015_0.pdf.
- U.S. Office of the Administration for Children and Families, “FY 2019 Justification of Estimates for Appropriations Committees,” p. 259, available at https://www.acf.hhs.gov/sites/default/files/olab/acf_master_cj_acf_final_3_19_0.pdf

Other Materials

- California Employment Development Department, “Local Workforce Development Areas in California,” available at <https://www.labormarketinfo.edd.ca.gov/geography/local-workforce-development-areas.html>
- Catalog of Federal Domestic Assistance – CFDA, Investopedia, available at <https://www.investopedia.com/terms/c/catalog-of-federal-domestic-assistance-cfda.asp> (PTX-777)
- Catalog of Federal Domestic Assistance, available at <https://beta.sam.gov> (PTX-778)
- Reamer Census-guided funding in rural America draft 08-30-18.pdf [REAMER_000001-REAMER_000016] (PTX-812)
- TEGL_16-17.pdf [REAMER_000017- REAMER_000046] (PTX-813)
- Title I 09-17-18.xlsx [REAMER_000049] (PTX-814)
- WIC 09-17-18.xlsx [REAMER_000050] (PTX-815)
- Fraga_NonResponseScenarios 9-17-18 Reamer analysis.xlsx [REAMER_000051] (PTX-816)
- Fraga_NonResponseScenarios 9-17-18 (1).csv [REAMER_000052] (PTX-817)
- Social Service Block Grants 09-17-18.xlsx [REAMER_000053] (PTX-818)
- U.S. Census Bureau, American FactFinder, available at <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>
- Reports from U.S. Census Bureau, American FactFinder (PTX-838)
- U.S. Census Bureau, SAIPE Interactive Data Tool, available at https://www.census.gov/datatools/demo/saipe/saipe.html?s_appName=saipe&map_yearSelector=2016&map_geoSelector=aa_c
- U.S. Department of Housing and Urban Development, HUD Awards and Allocations, available at <https://www.hudexchange.info/grantees/allocations-awards/>
- Figures from Historical Table 6.1 - Composition of Outlays: 1940–2023 of “Budget of the United States Government, Fiscal Year 2019,” February 2018, available at <https://www.whitehouse.gov/wpcontent/uploads/2018/02/hist06z1-fy2019.xlsx>

EXHIBIT D

Federal Assistance Programs with Allocation Formulas Affected by Differential Census Undercount

	Total FY 2016 Expenditure	Recipient	Allocation Formula	Notes	Census-derived Figures Determine Funding in Whole or in Part?	Legal Basis
FMAP						
Payments to States			Reimbursement =	Lower population estimate leads to greater per capita income and a smaller FMAP		
1 Medical Assistance Program (93.778)	\$361,218,476,000	States	FMAP x state expenditures		Whole	42 USC 1396d(b)
2 State Children's Health Insurance Program (93.767)	\$13,761,924,000	States	E-FMAP x state expenditures	E-FMAP = state FMAP + (0.3 * (100-FMAP)). Min is 65, max is 85.	Whole (note allotment below)	42 USC 1397ee(2)
3 Foster Care (93.658)	\$4,727,773,596	States	FMAP x state expenditures		Whole	45 CFR 1356.60(a)(2)
4 Adoption Assistance (93.659)	\$2,591,755,519	States	FMAP x state expenditures		Whole	45 CFR 1356.60(a)(2)
Payments by States			Payment =			
5 Medicare Part D Clawback	\$9,800,000,000	States	(100 - FMAP) x 0.75 x # dual eligibles with full Medicaid benefits x State per capita Part D contribution rate		Whole	42 CFR 423.910
6 Child Care (93.596)	\$2,840,075,000	States	Federal allotment x (100 - FMAP)/FMAP		Whole	45 CFR 98.55
Programs Based on Share of:				Lower population estimate leads to lower share		
Total Population						
8 Federal Transit Formula Grants (20.507)	\$8,871,200,000	Transit agencies, States, and local governments	Share of urbanized population, population density		Part	49 USC 5336
9 Community Development Block Grants/Entitlement Grants (14.218)	\$3,060,000,000	Cities and urban counties	Share of population, extent of poverty, extent of overcrowding, growth lag, and age of housing		Whole	42 USC 5306
10 Crime Victim Assistance (16.575)	\$2,251,629,971	States	State share of population		Part	42 USC 10603
Children and Youth						
11 Title I Grants to LEAs (84.010)	\$14,364,454,918	States – passthrough to LEAs	Number of children and children in poverty		Whole	20 USC 6333-37
2 State Children's Health Insurance Program (93.767)	\$13,761,924,000	States	Allotment based on number of low-income children and number of low-income children w/o health insurance		Part (note reimbursement above)	42 USC 1397dd
12 Special Education Grants (84.027)	\$11,779,555,245	States – passthrough to LEAs	Share of children and children in poverty		Whole (with limits)	20 USC 1411
13 Head Start (93.600)	\$8,648,933,810	States	Share of children and children in poverty		Part	42 USC 9835
14 Supplemental Nutrition Program for Women, Infants, and Children (10.557)	\$6,383,830,000	States – passthrough to local agencies	Share of person eligible to participate at 185% of poverty		Part	7 CFR 246.16
15 Child Care and Development Block Grant (93.575)	\$2,612,564,000	States	Share of population under 5, inversely weighted by PCI	Undercount compounded by FMAP-like effect	Part	42 USC 9858m
16 Supporting Effective Instruction State Grants (84.367)	\$2,255,837,000	States	Share of children 5-17 and children 5-17 in poverty	Formula changes every year	Part	20 USC 6611
17 WIOA Youth Activities (17.259)	\$858,000,000		Share of persons 16-21 in poverty		Part	29 USC 2852

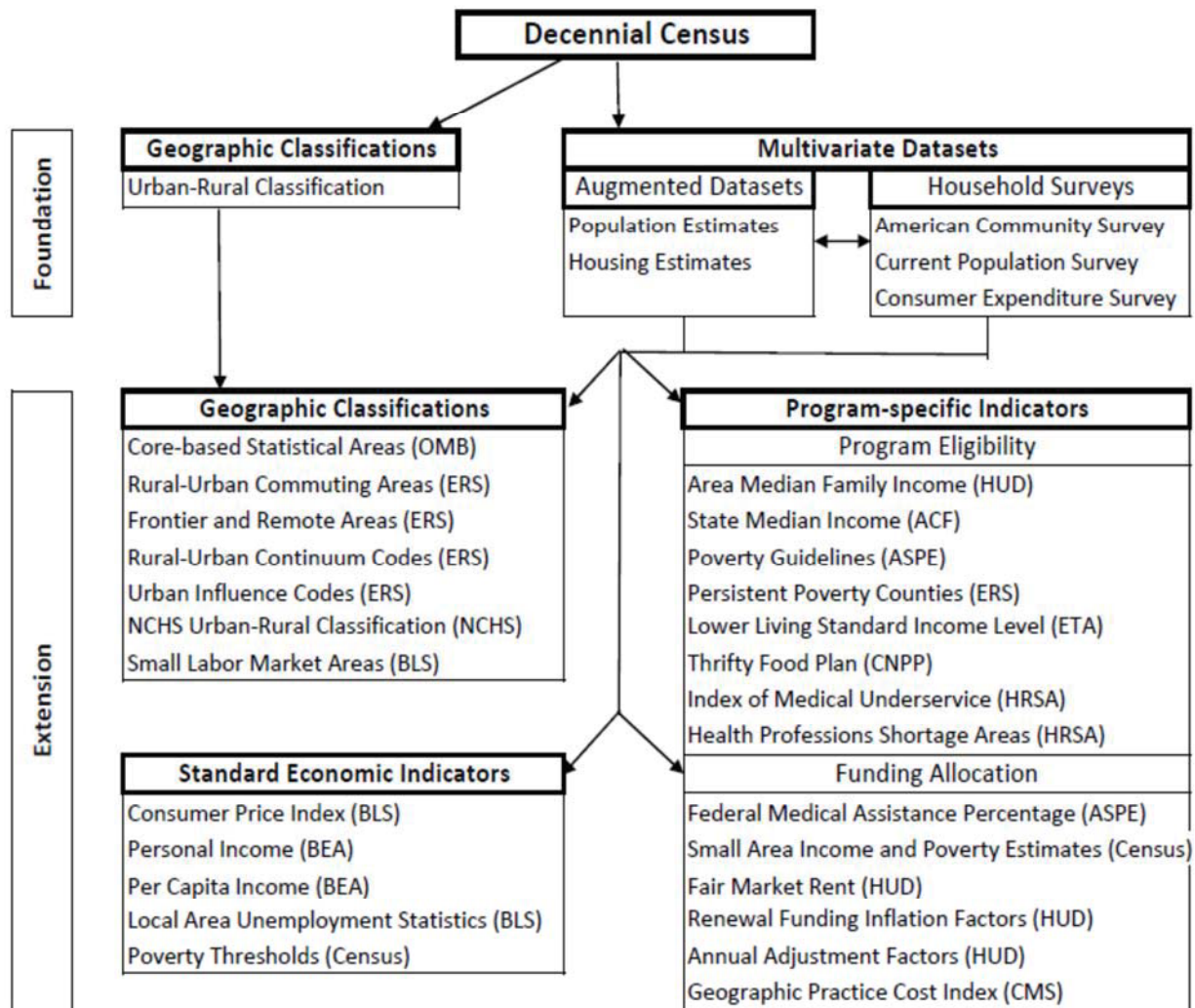
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Adults									
18 Rehabilitation Services - Vocational Rehabilitation Grants to the States (84.126)	\$2,981,765,509	States		Share of population, adjusted for PCI		Undercount compounded by FMAP-like effect	Whole		29 USC 730
19 Unemployment Insurance (17.225) -- Admin costs	\$2,717,410,000	States		Share of population			Part		42 USC 502
20 Block Grants for Prevention and Treatment of Substance Abuse (93.959)	\$1,759,749,115	States		Number of population 18-24, 25-44, 45-64, 65+			Part		42 U.S.C. 300x-33
21 Social Services Block Grant (93.667)	\$1,584,400,000	States		Share of total population			Whole		42 USC 1397b
22 Career and Technical Education - Basic Grants to States (84.048)	\$1,099,381,153	States		Shares of population 15-19, 20-24, and 25-65, adjusted for PCI		Undercount compounded by FMAP-like effect	Whole		20 USC 2321
23 WIOA Dislocated Worker Formula Grants (17.278)	\$1,071,000,000	States -- passthrough to local agencies		Share of disadvantaged persons age 16-21 and adult			Part		ETA TEGL 16-17
Seniors									
24 Special Programs for the Aging, Title III, Part C. Nutrition Services (93.045)	\$1,364,209,620	States		Share of population 60+			Whole		42 USC 3024

EXHIBIT E

Census-derived Datasets for Distributing Federal Financial Assistance



Agencies Responsible for Census-Derived Datasets

ACF	Administration for Children and Families, Department of Health and Human Services (HHS)
ASPE	Asst. Secretary for Policy and Evaluation, HHS
BEA	Bureau of Economic Analysis, Department of Commerce
BLS	Bureau of Labor Statistics, Department of Labor (DOL)
Census	Census Bureau, Department of Commerce
CMS	Center for Medicare and Medicaid Services, HHS
CNPP	Center for Nutrition Policy and Promotion, Department of Agriculture (USDA)
ERS	Economic Research Service, USDA
ETA	Employment and Training Administration, DOL
HRSA	Health Resources and Services Administration, HHS
HUD	Department of Housing and Urban Development
NCHS	National Center for Health Statistics, HHS
OMB	Office of Management and Budget, White House

EXHIBIT F

(Exhibit intentionally omitted by agreement of the parties)